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Attorneys for Plaintiff
MICHAEL BATEMAN

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MICHAEL BATEMAN, individually
and on behalf of all others similarly
situated,

Plaintiffs

v.

AMERICAN MULTI-CINEMA, INC.;
and DOES 1-10,

Defendants.

Case No. CV 07-00171 JHN-AJWx

CLASS ACTION

**NOTICE OF MOTION AND
MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Date: February 7, 2011

Time: 2:00 p.m.

Ctrm: 790 (Roybal)

Please take notice that, on February 7, 2011, at 2:00 p.m. or as soon thereafter as counsel may be heard, in Courtroom 790 in the Roybal Federal Building and Courthouse, located at 255 E. Temple Street, Los Angeles, California, plaintiff Michael Bateman ("Plaintiff") will and hereby does move for preliminary approval of the class action settlement reached between Plaintiff and defendant American Multi-Cinema, Inc. ("AMC") set forth in the Stipulated Settlement Agreement and Release (the "Settlement") attached to the Declaration of Gregory N. Karasik filed herewith.

1 Specifically, Plaintiff moves for an order:

2 1) granting preliminarily approval of the terms of the Settlement, including
3 the nature and amount of the settlement benefits to class members; the procedure for
4 giving notice to class members of their rights under the Settlement; and the procedure
5 available to class members for opting out of the Settlement;
6

7 2) certifying preliminarily for settlement purposes the following settlement
8 class (the "Settlement Class"): All individuals in the United States of America who,
9 between December 4, 2006 and January 29, 2007, used a credit card or debit card to
10 purchase a movie ticket from AMC and were provided at the point of the sale with an
11 electronically-printed receipt on which was printed the first four and the last four
12 digits of the person's credit card or debit card number;
13

14 3) appointing Plaintiff as class representative for the Settlement Class;

15 4) appointing Gregory N. Karasik of the law firm Spiro Moss LLP as
16 counsel for the Settlement Class;
17

18 5) approving the content and means of giving notice to members of the
19 Settlement Class of their rights as provided in the Settlement;

20 6) directing that notice be given to members of the Settlement Class as
21 provided in the Settlement;

22 7) establishing deadlines for members of the Settlement Class to opt out of
23 the Settlement and/or to submit objections to the Settlement as provided in the
24 Settlement; and
25

26 6) scheduling a final fairness hearing to determine whether the Settlement
27 should be finally approved as fair, reasonable and adequate.
28

1 Plaintiff's motion for preliminary approval is made pursuant to Rule 23(e) of
2 the Federal Rules of Civil Procedure on the grounds that the Settlement is fair,
3 reasonable and adequate and provides for notice in a reasonable manner to class
4 members of their rights under the Settlement.
5

6 Plaintiff's motion is based on this Notice; the Memorandum of Points and
7 Authorities and Declaration of Gregory N. Karasik, filed herewith; all other papers on
8 file in this action; and on any oral argument or other matters the Court may take into
9 consideration when ruling on the motion.

10 Dated: January 6, 2011

SPIRO MOSS LLP

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12 By: /s/ Gregory N. Karasik
13 Gregory N. Karasik

14 Attorneys for Plaintiff
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